UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3188

LAND, CHEMICAL &
REDEVELOPMENT
DIVISION

April 13, 2020

Mr. Shimon Mizrahi
Managing Partner
Rainier Commons, LLC
918 S. Horton, Suite #1018
Seattle, Washington 98134

Subject: Amendment 8 to the 40 C.F.R. §§ 761.61(c) and 761.62(c) Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, Phase IIb, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994

Dear Mr. Mizrahi:

This letter addresses Phase IIb of paint removal work approved as Amendment 8 to the original Risk-Based Disposal Approval (RBDA). The letter also re-issues the RBDA with updated conditions to remove references to items no longer applicable, and/or superseded due to the completion of Phases I and IIa (Enclosure 3). Pursuant to Condition 2 of the RBDA granted by the EPA on December 18, 2013 (Reference 1), Rainier Commons (Rainier) has submitted a series of workplan documents to remove and dispose of PCB contaminated paint on the subject property (the Site). All of the submitted documents listed below shall comprise the Phase IIb Individual Phased Workplan (Phase IIb IPWP).

Phase IIb IPWP documents include (References 2-6, respectively):

1. Old Rainier Brewery Exterior Paint Abatement Phase II Individual Phased Workplan, dated February 24, 2015

2. Old Rainier Brewery Exterior Paint Abatement Phase II Individual Phased Workplan, Supplement No. 4 – Segment b (Phase II, except for South Wall of Building 15 previously abated as Segment a), dated May 8, 2017

3. Rainier Commons Supplement No. 5 to IPWP Phase IIb, dated August 23, 2019

    a. Exhibits 3, 5, 6, 7, 8, 9a, 9e, 9f, 9g, 14, and 15 from Reference 2 are replaced with updated versions in this document.

    b. Exhibits 4 and 13 from Reference 2 were removed as no longer applicable.

4. E-mail from Doug Lansing to Michelle Mullin February 28, 2020

5. E-mail from Doug Lansing to Michelle Mullin March 18, 2020

The EPA has reviewed the Phase IIb IPWP and determined that the proposed work satisfies the standard of no unreasonable risk of injury to health or the environment pursuant to 40 C.F.R. §§ 761.61(c) and 761.62(c).

Because Phase I and Phase IIa are complete, Amendments 1-5 of the RBDA are no longer applicable to the site. Amendments 1-5 and the conditions therein, are superseded by Amendment 8. Some conditions from the 2013 RBDA were no longer applicable for this phase of work and have been removed. Amendment 6 and applicable portions of Amendment 7 (namely which substrates have been removed from further sampling requirements) have been incorporated into the RBDA conditions. Other conditions in the RBDA required modification due to changes in the abatement and monitoring approach. The EPA has modified these conditions as described in the Statement of Basis (Enclosure 2), and is re-issuing the updated RBDA which is included as Enclosure 3. The Phase IIb IPWP is approved. This approval, including the re-issued RBDA in Enclosure 3, constitutes Amendment 8 to the RBDA. Amendment 8 is hereby incorporated by reference into the RBDA and becomes an enforceable requirement of the RBDA.

Amendment 8 provides the basis of approval for sampling, cleanup, decontamination, storage, and disposal of PCB remediation and bulk product waste remaining at the Site.

Conditions:

1. Only abatement of Building 6 west, Building 7 west and south, Building 8 elevator control room and parapet walls, Building 9 elevator shaft and parapet walls, Building 10 south, and the Catwalk are approved. No abatement activity for any other area of the subject property is approved at this time.

2. Rainier shall install sticky matts at the entrances to all Phase IIb building entrances to prevent track-in of any PCB contaminated material.

3. All personnel entering the interior or exterior containment structures or conducting any inspection of the containment structure, cleaning, sample collection, or removal of interior or exterior primary or secondary containment shall do so wearing appropriate PPE as documented in the Health and Safety Plan in the Phase IIb IPWP to protect against PCB exposure.

    a. All personnel conducting blasting will be HAZWOPER certified and will don full body disposable suits with hoods and booties, full face supplied air pressure demand respirators, hard hats, safety vests, cut resistant gloves, eye protection, protective footwear, and hearing protection. There will be first aid and CPR trained employee on site as well.

    b. Personnel entering the interior containment structure do not require supplied air respirator or Tyvek coveralls, unless there is an active breach.

4. Roof mounted HVAC equipment shall be protected following the plan detailed in Reference 2, and the checklist contained in Reference 4, Supplement 5, Exhibit 19, Attachment 3. Specifically, Rainier shall remove and properly dispose of inoperable or decommissioned heat exchange units The furnace concentric vent and operable heat exchange units shall be mechanically and electrically locked-out and covered with 2 layers of 6-mil polyethylene film fastened with duct tape and/or spray adhesive so that it is completely enclosed. Fresh air ducts shall be extended 12” beyond the containment enclosure with galvanized steel HVAC ducting. Every seam and joint of each vent pipe will be sealed with Building Code approved duct sealant and duct tape. All ductwork running through containment shall also be

protected with two layers of 6-mil poly fastened with duct tape and/or spray adhesive. Siding caulk will be used to protect the concentric building penetration if needed.

5. Roof drains will be protected with filter fabric over the roof inlets on roof drains near blasting activity. Filter fabric will also be placed over the outlets of those roof drains.

6. Storm and sanitary inlets will be protected in accordance with the plan in Reference 2, Exhibit 10. At a minimum each catch basin and roof drain are provided with Level 1 protection which includes two layers of filter cloth. The top layer is visually inspected daily and replaced at least every 7 days, while both layers are replaced at least every 21 days. Manholes are sealed closed. If the NPE is breached, all sewer inlets that may be at risk will be physically blocked so that water cannot penetrate and any pooled water can not be traversed by pedestrians or motor vehicles. Once the breach is contained, the water will be extracted and collected for proper disposal in accordance with 40 C.F.R. § 761.60(a) or (e) or decontaminated in accordance with 40 C.F.R. § 761.79. Surfaces shall be decontaminated in accordance with 40 C.F.R. § 761.79 prior to allowing drain inlet to return to functioning status. Plastic sheeting and material necessary to block inlets will be kept on site by the contractor for this purpose and be readily accessible for immediate use.

7. Rainier shall conduct weekly vacuum truck cleaning of the parking surfaces, monitor the area for paint chip debris, and hand vacuum and hand collect paint chips.

8. Negative Pressure Enclosure (NPE) construction specifications detailed in Reference 4, Supplement 5, Exhibit 6 shall be followed. Scaffolding will be shrink-wrapped in poly sheeting. 6-mil poly drop cloth will be used on each level of scaffolding and changed out periodically as waste builds up. At least two layers of "rip-stop" poly sheeting will be placed beneath the NPE and will run up to an adjacent straw waddle to contain any water within the NPE. At least two layers of cardboard will be used on the ground between the layers of poly sheeting. Windows, doors or other penetrations within the enclosure will be protected by one layer of 6-mil reinforced poly under a plywood sheet on the exterior of the window. Interiors of penetrations will be protected by two layers of 6-mil reinforced poly. Any scaffolding tie-ins that must penetrate PCB paint will be done by certified haz-mat personnel.

9. The NPE will be maintained under negative pressure of at least 0.02" of water by using 2,200 CFM Negative Air Machines (NAMs) fitted with HEPA filters during non-blasting periods, or by vacuum dust collection systems during blasting operations as described in Condition 10. At least 1 NAM and 1 back-up NAM will be installed in each section of the NPE. Reference 4, Supplement 5, Exhibit 19, Attachment 4 will be used to calculate any NAMs needed above this minimum. A manometer sensor will be used to ensure alarm identifies a reduction in differential pressure between outside the containment structure and inside greater than 0.02" of water.

10. Use of a dust collector with HEPA filter such as the Cyclone 12 DC shall be used during blasting activities to reduce the volume of air born dust throughout the containment and create negative pressure for the containment structure. This was approved in Phase IIa and is herein approved for Phase IIb, subject to the decontamination requirements in 40 C.F.R. § 761.79 before being removed from site.

11. Interior containment consists of fully enclosing the interior surface of the wall being blasted with 4-mil poly sheeting after plugging any through penetrations with caulk or spray foam. Interior window protection will consist of two layers of 6 mil reinforced poly secured. All interior sheeting will be secured with duct tape and spray adhesive as needed. Splices in the poly sheeting will be overlapped a minimum of 6 inches and secured with spray adhesive and duct tape. Secondary containment will be

constructed by hanging a single layer of 4-mil poly 2-3 feet away from the primary containment barrier, secured to the ceiling, walls and floor with duct tape and spray adhesive as necessary (see Reference 2 and Reference 3). Access inside of the secondary containment area is restricted to monitoring personnel and Contractor personnel conducting containment integrity inspections. Access to the remainder of the room outside of the contained area is limited to the same personnel until tenant entry is granted (See Reference 4, Supplement 5, Exhibit 19, Attachment 1 for tenant entry decision tree). Access points will remain closed and locked, with warning signs posted. Interior containment and secondary containment shall remain in place until after exterior containment is removed.

12. Building 8 and Building 9 freight elevators are not subject to interior containment requirements, due to the technical impracticality of installation. These elevators have unenclosed (open) cabs and are not equipped with pressurized shafts. When the NPE includes blasting any portion of these elevator shafts, the elevator will be disabled during active blasting hours as part of pre-blasting activities in accordance with Condition 13. Upon completion of daily blasting, clearance of these elevators for tenant use will follow the same inspection protocol as all other affected spaces in accordance with Conditions 13, 14, 15, 20, and 21.

13. Daily housekeeping shall include pre-blasting visual inspection of all interior barriers to ensure seal integrity. Pre-blasting inspection shall also ensure that ventilation is turned off, windows are closed and all other controls are still in place. Daily housekeeping shall also include post-blasting visual inspection of all interior barriers and containment to ensure no visual evidence of a breach is detected.

14. Rainier will conduct interior dust monitoring through the collection of wipe samples. Interior sample locations and detailed wipe sampling plan are provided in Reference 4, Supplement 5, Exhibit 3 and Exhibit 15. Two types of samples, one using a hexane wipe to collect PCBs, and one using a ghost wipe to collect metals, will be collected immediately adjacent to each other. Sample collection for PCBs will be done pre- and post-abatement. Sample collection for metals will be done post abatement and will only be analyzed if PCBs are detected in settled dust > $10ug/100cm^2$. Metal results will be compared to the known metal profile of the blasting media (chromium, copper, nickel, zinc and lead) to evaluate if PCBs were introduced by blasting activity vs. tracked in.

a. For spaces determined to be “Residential” settled dust samples will be collected:

    i. At points of ingress within the interior containment (number of locations depends on how many points of ingress there are).
    ii. Just outside secondary containment on the floor (1 location).
    iii. Mid-way between secondary containment and farthest wall at waist and ground level (2 locations, where waist level opportunity exists).
    iv. Near or at the farthest wall away from secondary containment at waist and ground level (2 locations, where waist level opportunity exists).

b. For spaces determined to be “Commercial” settled dust samples will be collected:

    i. At points of ingress within the interior containment (number of locations depends on how many points of ingress there are).
    ii. Just outside secondary containment on the floor (1 location).

c. The top of all elevator cars and just outside the entry or exit point to elevator cars on every floor of the affected elevator shaft shall be sampled.

d. Wipe samples will be collected on any flat surface that has 100cm^2 available in the Building 8 elevator control room, "doghouse", most likely in corners of the floor.

15. If at any time a breach of the containment structure is either observed by visual identification of dust, paint or blasting material; or if a manometer sensor identifies a drop in pressure below 0.02" of water, Rainier will follow the procedures in their flow chart (Reference 4, Supplement 5, Exhibit 19, Attachment 1). Specifically, Rainier will:

e. Mitigate the cause of the exceedance.

f. Report the exceedance to the EPA pursuant to RBDA Condition 20.

g. Collect wipe samples for metals and PCBs following the procedures in Reference 4, Supplement 5, Exhibit 15 and pursuant to 40 C.F.R. § 761.243.

h. If PCBs are detected the material will be cleaned up according to the PCB Spill Cleanup Policy, specifically 40 C.F.R. § 761.125(b)(1) and steps (c) and (d) of this paragraph will be repeated until PCB concentrations are <10 ug/100cm^2. Tenants may be granted entry once sample results are <10 ug/100cm^2.

i. If the release occurred in the outdoor environment, Rainier shall follow steps (a)-(d) of this paragraph and also sample the aqueous and solid media in catch basins identified as sampling locations in the Reference 4, Supplement 5, Exhibit 5 following the next rain event with measurable flow.

16. Rainier shall sample onsite catch basins to verify that controls are effectively preventing releases of PCB contaminated dust and paint to the environment. Rainier shall sample one sampling location in each of 5 zones identified in Reference 4, Supplement 5, Exhibit 5, for a total of 5 sample locations every month of blasting activity. Additionally, Rainier shall collect samples from these locations in the month prior to blasting beginning and for 12 months after all blasting has ceased. Aqueous and sediment samples shall be collected from each sampling location as available. In the event that no significant rain events occur during the sampling period, samples will be collected during the course of the next rain event, without waiting for the next monthly round. Samples shall be analyzed for PCBs. Samples shall also be collected for metals (chromium, copper, nickel, zinc and lead). Metal samples may be held by the laboratory and analyzed only if PCB concentrations in the samples are identified above the action levels in Condition 6 of the RBDA. Analysis for metals shall occur within the appropriate hold time for accurate results.

17. Personnel and Material Decontamination shall take place in a dirty room work area space, shower & clean room space, and a clean room work area space, as described in Reference 4, Supplement 5, Exhibit 6. These shall be constructed with PVC or steel piping wrapped in poly sheeting. A pop-up aluminum shower equipped with a water collection basin will be used in the "shower room". Water used for showering and any work shall be collected and contained in storage drums and tested for disposal in accordance with 40 C.F.R. § 761.60(a) or (e) or decontamination and off-site use or disposal in accordance with 40 C.F.R. § 761.79. No water shall be discharged out of the work area to the sanitary sewer or storm drain systems. A material load-in and load-out unit will be constructed in the same manner as the three-stage decontamination unit and connected to the "dirty room". A detailed checklist for scaffolding erection, NPE construction, NAM installation and the decontamination unit is provided in Reference 4, Supplement 5, Exhibit 19, Attachment 5.

18. The storage of PCB waste on site shall comply with the storage regulations at 40 C.F.R. § 761.65(b) or 761.65(c). All PCB waste generated during abatement activities will be stored on-site in a temporary waste storage facility located in Building 6 on the 400 level. This location is constructed of concrete and structural steel, with a roof and no windows. Three man-doors and a freight elevator provide access to the unit, all doors are bolted from inside the unit and the freight elevator is controlled by a lockable garage door inside the unit. Eight-inch diameter straw waddles shall be installed and maintained under two layers of sealed, 6-mil rip-stop polyethylene sheeting to provide a continuous curbed storage area capable of containing 25% of the total volume of all PCB containers stored within. Containers shall be either sealed 55-gallon drums or one-cubic yard "Super-sacks" meeting DOT approved design requirements. Containers will be labeled with the date out of service, project name, owner and haz-mat contractor. All waste container exteriors will be decontaminated prior to transportation to the storage facility. The storage facility will be inspected weekly by a HAZWOPER-trained person.

19. Scaffolding shall be de-mobilized in a manner that will not cause release of PCB contaminated dust or PCB contaminated paint from the NPE, as detailed in Reference 3 and Reference 4, Supplement 5, Exhibit 6. Prior to dismantling, a protection and containment area will be established at each designated staging area. The staging area will consist of two layers of "rip-stop" poly sheeting layed over a straw waddle perimeter the size of which will be able to accommodate the largest piece of scaffolding plus room for two workers. Scaffolding will be cleaned using HEPA vacuums, brushes and wipes, and a lock-down agent will be applied to the interior of the NPE to trap any dust or debris that was not collected by the cleaning/decontamination process. Breakdown of the NPE will only take place on calm, dry days. All elements of scaffolding system will be lowered to the protection and containment area for a final wipe down and/or inspection prior to loading onto trucks. The shrink wrap poly will be cut into sections and rolled within itself and disposed. The protection and containment area for scaffolding shall be staged, inspected and cleaned during breakdown as documented in Reference 2.

20. Interior containment will only be removed once the NPE is dismantled. Rainier shall follow the protocol in Reference 4, Supplement 5, Exhibit 19, Attachment 2. Specifically, with the secondary interior containment barrier in place the primary interior containment barrier shall be removed by carefully rolling the side exposed to the wall into itself. The wall shall then be inspected for any visual indication of a breach and if a breach is observed the wall shall be cleaned in accordance with the Spill Cleanup Policy at 40 C.F.R. §§ 761.125(b)(1), and 761.130 followed by removal of the secondary containment.. If not, the secondary interior containment barrier shall be removed. The interior wall, floor and ceiling within the interior containment area shall be cleaned with a HEPA vacuum. Following cleaning, surfaces will be wipe sampled in accordance with Condition 14.

21. Rainier shall use the checklists in Reference 4, Supplement 5, Exhibit 19, Attachment 2, Attachment 3, Attachment 4, and Attachment 5 to ensure consistency in project management and create a record of activities. Rainier shall create daily field notes to describe project status. Elements that shall be included are: daily inspection results, any samples collected, any waste moved into the temporary storage location, any waste transported offsite for disposal, any tenant interactions regarding abatement activity, any changes in Setup stages (Mobilization, Abatement, Verification, and Demobilization), any activity that may impact sample results, NPE integrity, project schedule, any problems encountered and actions taken to mitigate problems, and pursuant to Condition 20 of the RBDA - any new information about site conditions. Rainier shall submit the daily field notes to the EPA every Monday for the work that proceeded the week prior and any updates or modifications for the upcoming week.

22. Rainier will provide notice to tenants 30 days prior to Mobilization. Rainier will provide weekly updates via email to each tenant occupying interior space opposite of the abatement work. Rainier will

communicate more frequently, as needed, with any tenant. Rainier will have access to each of the tenant spaces on a daily basis and in case of emergency. Rainier will reiterate the need for and right to this access at least one week in advance of the work commencing.

23. Extraction Methods for samples shall be conducted using either the EPA Method 3500B/3540C or Method 3500B/3550B.

The terms and conditions of this approval are established pursuant to 40 C.F.R. §§ 761.62(c) and 761.61(c) and enforceable under the Toxic Substances Control Act (TSCA). Any actions which deviate from the terms and conditions of this approval may result in administrative, civil, or criminal enforcement in accordance with Sections 16 and 17 of TSCA, 15 U.S.C. §§ 2615 and 2616.

Should you have any questions or comments, please contact Michelle Mullin at (206) 553-1616 or mullin.michelle@epa.gov.

Sincerely,

TIMOTHY HAMLIN

Digitally signed by TIMOTHY HAMLIN
Date: 2020.04.23 14:53:39 -07'00'

Timothy B. Hamlin
Director

Enclosures:

1. References
2. Statement of Basis
3. 2013 Risk-Based Disposal Approval, Modified

cc (email): Ms. Jo M. Flannery
Ryan, Swanson & Cleveland, PLLC

Mr. Doug Lansing
Rainier Commons, LLC

Mr. Richard Thomas
Washington Department of Ecology

Mr. Arnaud Gerard
King County

Mr. Bruce Tiffany
King County

Ms. Beth Schmoyer
Seattle Public Utilities

Enclosure 1

References

RBDA:

1. Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated December 18, 2013

Phase IIb IPWP Documents:

2. Old Rainier Brewery Exterior Paint Abatement Phase II Individual Phased Workplan, dated February 24, 2015
3. Old Rainier Brewery Exterior Paint Abatement Phase II Individual Phased Workplan, Supplement No. 4 – Sebment b (Phase II, except for South Wall of Building 15 previously abated as Segment a), dated May 8, 2017
4. Rainier Commons Supplement No. 5 to IPWP Phase IIb, dated August 23, 2019

    a. Exhibits 3, 5, 6, 7, 8, 9a, 9e, 9f, 9g, 14, and 15 from Reference 1 are replaced with updated versions in this document.
    b. Exhibits 4 and 13 from Reference 1 were removed as no longer applicable.

5. E-mail from Doug Lansing to Michelle Mullin February 28, 2020
6. E-mail from Doug Lansing to Michelle Mullin March 18, 2020

Amendments 1-7:

7. Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated June 17, 2014
8. Amendment to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, Washington, EPA ID No. WAD 05123 9994, dated June 24, 2014
9. Amendment to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, Washington 98134, EPA ID No. WAD 05123 9994, dated August 12, 2014
10. Amendment 4 to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, Washington, EPA ID No. WAD 05123 9994, dated July 11, 2016
11. Amendment 6 to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated July 25, 2019
12. Amendment 7 to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA Phase IIa Completion, removal of concrete substrate sampling, and incorporation of Amendment 5, EPA ID No. WAD 05123 9994, dated November 14, 2019

Phase I Completion Approval:

13. Phase I Completion Report for Rainier Commons, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994, dated May 3, 2019

2013 General Workplan (Work Plan):

14. Rainier Commons Work Plan dated March 25, 2013, revised July 25, 2013